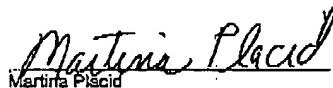


I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. 571-273-0562, on the date shown below.

Date: November 4, 2004

  
Martina Piscid

Docket No.: 415072000600  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Ronghao LI et al.

Application No.: 09/545,659

Confirmation No.: 2403

Filed: April 10, 2000

Art Unit: 1651

For: HUMAN OVARIAN MESOTHELIAL CELLS  
AND METHODS OF ISOLATION AND USES  
THEREOF

Examiner: L. Lankford

**REQUEST TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR 1.181**

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a request to withdraw the holding of abandonment. Applicants believe that the Notice of Abandonment mailed October 13, 2004 was sent in error.

***Facts Supporting the Request:***

1. The Notice of Allowability (Paper No. 18) dated February 25, 2003 indicated that the drawings filed on April 10, 2000 were accepted by the Examiner. As such, corrected drawings were not submitted and the issue fee was paid.
2. Applicants were not aware the drawings were unacceptable until a Decision on Petition dated September 10, 2004 was received from the U.S. Patent and Trademark Office. The Decision indicated that the Petition to Accept Color Drawings was denied.

pa-932737

Application No.: 09/545,659

2

Docket No.: 415072000600

3. Applicants filed a Response to the Decision on Petition on October 12, 2004 (within the 30-day time period allowed). In the Response, Applicants withdrew the Petition to Accept Color Drawings and submitted substitute black and white photographic figures.

4. A Notice of Abandonment dated October 13, 2004 was sent out for Applicant's failure to timely file corrected drawings within the three-month period set forth in the Notice of Allowability.

*Arguments Supporting the Request:*

Applicants submit that since the Notice of Allowability dated February 25, 2003 indicated that the drawings were acceptable, and were not aware that the drawings were not acceptable until September 10, 2004, it was not possible to submit corrected drawings within the three-month period set forth in the Notice of Allowability. Further, Applicants responded to the Decision on Petition within the 30-day period to withdraw the Petition to Accept Color Drawings and submitted substitute black and white photographic figures.

pa-932737

Application No.: 09/545,659

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Docket No.: 415072000600

**CONCLUSION**

Applicants made every effort to comply with the Patent Office's request to submit corrected drawings and believe that the Notice of Abandonment was sent in error. Accordingly, Applicants respectfully request that the Examiner withdraw the holding of abandonment, and to pass this application to issue.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant(s) petition(s) for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. (415072000600)

Dated: November 4, 2004

Respectfully submitted,

By Sac B  
Jic ZhouRegistration No.: 52,395  
MORRISON & FOERSTER LLP  
755 Page Mill Road  
Palo Alto, California 94304  
(650) 813-5922

pa-932737

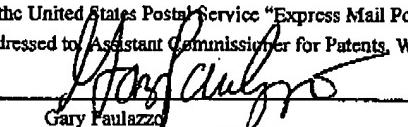
PATENT  
Docket No. 415072000600

## CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL154557996US

Date of Deposit: April 10, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Gary Paulazzo

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Rong-hao LI et al.

Serial No.: Not Yet Assigned

Filing Date: April 10, 2000

For: HUMAN OVARIAN MESOTHELIAL  
CELLS AND METHODS OF  
ISOLATION AND USES THEREOF

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

COPY

**PETITION UNDER 37 C.F.R. § 1.84(b)  
TO ACCEPT PHOTOGRAPHIC DRAWINGS**

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Applicants request the photographs (Figures 1-5), (Figures 3 and 5 in color), be accepted.

pa-471677

The Assistant Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17, and 1.21 that may be required by this transmittal, or to credit any overpayment, to Deposit Account No. 03-1952.

Respectfully submitted,

Dated: April 10, 2000

By: Thomas E. Ciotti  
Thomas E. Ciotti  
Registration No. 21,013

Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
Telephone: (650) 813-5702  
Facsimile: (650) 494-0792



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

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## DECISION ON PETITION

In re Application of  
Rong-hao LI et al  
Serial No. 09/545,659  
Filed: April 10, 2000  
For: HUMAN OVARIAN MESOTHELIAL CELLS AND METHODS OF ISOLATION AND  
USES THEREOF

September 9, 2004

This is a decision on the request for acceptance of color drawings under 37 C.F.R. § 1.84(b) filed April 10, 2000.

The petition has been reviewed and is found **not** to be in compliance with the requirements as set forth in 37 CFR § 1.84 (a)(2) and b (2). Specifically, three sets of color drawings and a statement as to why the color drawings are necessary have not been provided as required by 37 C.F.R. § 1.84(a)(2) and (b)(1). See MPEP 608.01(f).

Accordingly,  
PETITION IS DENIED.

Michael G. Wityshyn  
Supervisory Patent Examiner  
Art Unit 1651

Jie Zhou  
Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, California 94304-1108



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/545,659	04/10/2000	Rong-han Li	415072000600	2403
25226	7590	09/10/2004		
MORRISON & FOERSTER LLP 755 PAGE MILL RD PALO ALTO, CA 94304-1018			EXAMINER	LANKFORD JR, LEON B

*RECEIVED*  
 SEP 16 2004  
 MORRISON & FOERSTER, LLP  
 755 PAGE MILL RD  
 PALO ALTO

DATE MAILED: 09/10/2004

ART UNIT	PAPER NUMBER
1651	

Please find below and/or attached an Office communication concerning this application or proceeding.

Request for Reconsideration Due - 10  
 DOCKETED J  
 REMINDER: 9/23/04  
 FINAL DUE DATE: 10/9/04

**MORRISON & FOERSTER LLP**

Attorneys at Law  
 755 Page Mill Road  
 Palo Alto, California 94304-1018  
 Telephone: (650) 813-5600  
 Facsimile: (650) 494-0792

**To:**

NAME:	FACSIMILE:	TELEPHONE:
Cecilia Tsang U.S. Patent and Trademark Office	(571) 273-0562	(571) 272-0562

**FROM:** Jie Zhou**DATE:** November 4, 2004

Number of pages with cover page: 9

Preparer of this slip has confirmed that facsimile number given is correct: 9013/mxp4**CAUTION - CONFIDENTIAL**

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**Comments:**

Attorney Docket No.: 415072000600  
 Group Art Unit: 1651  
 Examiner: L. Lankford  
 Serial No.: 09/545,659  
 Filing Date: April 10, 2000  
 Inventors: Ronghao LI et al.  
 Title: HUMAN OVARIAN MESOTHELIAL CELLS AND METHODS OF ISOLATION AND USES THEREOF

## Papers attached:

1. Transmittal Form (1 page)
2. Request to Withdraw Holding of Abandonment (3 pages)
3. Copy of Petition to Accept Color Drawings (2 pages)
4. Copy of Decision on Petition (2 pages)

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL  
 MARTINA PLACID AT 650-813-5723 AS SOON AS POSSIBLE.

PA-932975

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

*(to be used for all correspondence after initial filing)*

Total Number of Pages in This Submission

8

Application Number	09/545,659
Filing Date	April 10, 2000
First Named Inventor	Ronghao Li
Art Unit	1651
Examiner Name	L. Lankford
Attorney Docket Number	415072000600